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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Bryan J. Gilbert, et al.

Appln. No.: 10/712,960

Filed: November 13, 2003

For: INTELLIGENT ELECTRONIC DEVICE  
HAVING NETWORK ACCESS

Examiner: E. Raymond

Art Unit: 2857

Attorney Docket No: 6270/131 (300131)

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Fourth Supplemental Information Disclosure Statement; Form PTO-1449; Copies of prior art E1-E9.  
☒ Return Receipt Postcard.

## Fee calculation:

- ☐ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

|   |                                     |       |                                    |                  | Small Entity |           |    | Not a Small Entity |           |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
|   | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Rate         | Add'l Fee | or | Rate               | Add'l Fee |
| Total                                     |                                     | Minus |                                    |                  | x \$25=      |           |    | x \$50=            |           |
| Indep.                                    |                                     | Minus |                                    |                  | X100=        |           |    | x \$200=           |           |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$180=      |           |    | +\$360=            |           |
|   |                                     |       |                                    |                  | Total        | \$        |    | Total              | \$        |

## Fee payment:

- ☒ A check in the amount of \$180.00 is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

James L. Katz (Reg. No. 42,711)

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### FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite the following reference(s):

| OTHER ART – NON PATENT LITERATURE DOCUMENTS   |
|---|
| F. Momal, C. Pinto-Pereira "Using World-Wide-Web for Control Systems," AT Division CERN, 1211 Geneva 23, International Conference on Accelerator and Large Experimental Physics Control Systems, 1995, available at <a href="http://mish231.cern.ch/Docs/ICALEPCS/1995/icalep95.htm">http://mish231.cern.ch/Docs/ICALEPCS/1995/icalep95.htm</a> (last accessed 7/8/02). |
| F. Momal, J. Brahy, R. Saban, P. Sollander, "Integrating a Commercial Industrial Control System to the Accelerator Control System", Proc. ICALEPCS 1993 Berlin, p. 464.   |
| R. Saban, P. Ciriani, A. Guiard-Marigny, H. Laeger, M. Rabany, A. Swift, "Equipment Industrially Controlled", Proc. ICALEPS 1993 Berlin, p. 461.  |
| F. Momal, D. Bienvenu, D. Brahy, D. Lavielle, R. Saban, B. Vuillerme, L. Walckiers, "A Control System based on Industrial Components for Measuring and Testing the Prototype Magnets for LHC", Proc. EPAC 94 London, p. 2322.   |
| Corcoran, Peter J., Desbonnet, Joe, Lusted, Karl, "CEBus Network Access Via the World-Wide-Web," Proceedings of the 1996 IEEE International Conference on Consumer Electronics, Rosemont, IL, USA, June 5-7, 1996.  |
| ATI Systems, "Technical Overview: Ethernet SCAN II™ Module," October 1994.  |
| "AT&T Forms Expert Team to Design Utility Industry Solutions", press release, January 23, 1995, available at <a href="http://www.lucent.com/press/0195/950123.mma.html">http://www.lucent.com/press/0195/950123.mma.html</a> (last accessed July 11, 2002).   |
| "TECO & IBM – The 'Smart House' is Here", press release, April 13, 1995, Newsbytes Inc., available at <a href="http://filebox.vt.edu/users/mikemike/smart-house/infotrac/article4.txt">http://filebox.vt.edu/users/mikemike/smart-house/infotrac/article4.txt</a> (last accessed July 11, 2002).  |
| Reexamination Application No. 90/007,224, Patent No. 6,751,563, Filed September 27, 2004, Response and Declarations to Office Action mailed May 12, 2006, filed July 7, 2006, 44 pages.   |

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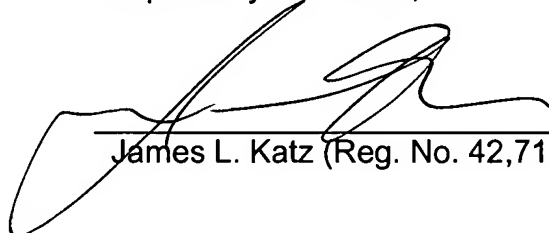
Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

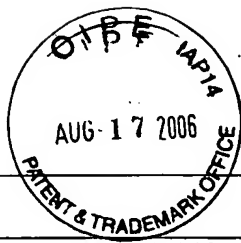
By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicants have calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicants have enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

Respectfully submitted,

8/17/05  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James L. Katz (Reg. No. 42,711)



|   |                                  |                                       |
|---|----------------------------------|---------------------------------------|
| FORM PTO-1449   | SERIAL NO.<br>10/712,960         | CASE NO.<br>6270/131                  |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT | FILING DATE<br>November 13, 2003 | GROUP ART UNIT<br>2857                |
| (use several sheets if necessary)   |                                  | APPLICANT(S): Bryan J. Gilbert et al. |

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/<br>SUBCLASS | FILING<br>DATE |
|---------------------|--|------|------|--------------------|----------------|
|                     |  |      |      |                    |                |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/<br>SUBCLASS | TRANSLATION<br>YES OR NO |
|---------------------|--|------|---------|--------------------|--------------------------|
|                     |  |      |         |                    |                          |

| EXAMINER<br>INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS<br><small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small> |   |
|---------------------|---|---|
|                     | E1  | F. Momal, C. Pinto-Pereira "Using World-Wide-Web for Control Systems," AT Division CERN, 1211 Geneva 23, International Conference on Accelerator and Large Experimental Physics Control Systems, 1995, available at <a href="http://mish231.cern.ch/Docs/ICALEPCS/1995/icalep95.htm">http://mish231.cern.ch/Docs/ICALEPCS/1995/icalep95.htm</a> (last accessed 7/8/02). |
|                     | E2  | F. Momal, J. Brahy, R. Saban, P. Sollander, "Integrating a Commercial Industrial Control System to the Accelerator Control System", Proc. ICALEPCS 1993 Berlin, p. 464.   |
|                     | E3  | R. Saban, P. Ciriani, A. Guiard-Marigny, H. Laeger, M. Rabany, A. Swift, "Equipment Industrially Controlled", Proc. ICALEPS 1993 Berlin, p. 461.  |
|                     | E4  | F. Momal, D. Bienvenu, D. Brahy, D. Lavielle, R. Saban, B. Vuillerme, L. Walckiers, "A Control System based on Industrial Components for Measuring and Testing the Prototype Magnets for LHC", Proc. EPAC 94 London, p. 2322.   |
|                     | E5  | Corcoran, Peter J., Desbonnet, Joe, Lusted, Karl, "CEBus Network Access Via the World-Wide-Web," Proceedings of the 1996 IEEE International Conference on Consumer Electronics, Rosemont, IL, USA, June 5-7, 1996.  |
|                     | E6  | ATI Systems, "Technical Overview: Ethernet SCAN II™ Module," October 1994.  |
|                     | E7  | "AT&T Forms Expert Team to Design Utility Industry Solutions", press release, January 23, 1995, available at <a href="http://www.lucent.com/press/0195/950123.mma.html">http://www.lucent.com/press/0195/950123.mma.html</a> (last accessed July 11, 2002).   |
|                     | E8  | "TECO & IBM – The 'Smart House' is Here", press release, April 13, 1995, Newsbytes Inc., available at <a href="http://filebox.vt.edu/users/mikemike/smart-house/infotrac/article4.txt">http://filebox.vt.edu/users/mikemike/smart-house/infotrac/article4.txt</a> (last accessed July 11, 2002).  |
|                     | E9  | Reexamination Application No. 90/007,224, Patent No. 6,751,563, Filed September 27, 2004, Response and Declarations to Office Action mailed May 12, 2006, filed July 7, 2006, 44 pages.   |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.